

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Jesus Arguelles-Lozoya

Case No.

18-343-m

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 30, 2018 in the county of Lehigh and Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Title 21, United States Code
 Section 846, 841(a)(1),(b)(1)(A).

Offense Description

Beginning in or about December 2017, and continuing through January 30, 2018, in Allentown and Philadelphia, in the Eastern District of Pennsylvania, defendant Jesus Arguelles-Lozoya conspired and agreed with others known and unknown, to knowingly and intentionally distribute five hundred grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846, 841(a)(1),(b)(1)(A).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 03/07/2018City and state: Allentown, PA

Complainant's signature

Joshua B. Romig, DEA

Printed name and title

Judge's signature

The Hon. Henry S. Perkin, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Joshua B. Romig, having been duly sworn, depose and state the following:

1. I am a Special Agent with the Drug Enforcement Administration (DEA) assigned to the DEA Philadelphia Division, Allentown Resident Office, which is composed of Special Agents and local law enforcement officers investigating narcotics trafficking. Prior to that, beginning in August 1999, I was a law enforcement officer specializing in narcotics-trafficking cases, in both Baltimore, Maryland and Reading, Pennsylvania.

2. As a result of my training and experience, I am familiar with the federal narcotics laws with respect to which I have enforcement authority.

3. The information contained in this affidavit is based on my personal participation as the lead investigator in this case, my review of court and law enforcement records and reports related to this investigation and my interviews with arrestees, informants and law enforcement officers involved in this investigation.

Background of Defendant

4. Jesus A. Arguelles-Lozoya a/k/a "Jose" (hereinafter "Arguelles-Lozoya") uses telephone number (480) 371-7973, has a date of birth of January 29, 1994, and a home address of 8822 W. Campbell Ave., Phoenix, Arizona 85037. DEA Task Force Officer (TFO) John Casella determined that Arguelles-Lozoya has an Arizona Driver's license number of D09608346.

Probable Cause to Arrest

January 30, 2018, DEA agents seize approximately 4 pounds of methamphetamine obtained from Jesus Arguelles-Lozoya

5. In December of 2017, DEA Task Force Officer John Casella and DEA Special Agent (SA) William Rodgers conducted an investigation regarding individuals who distributed crystal methamphetamine in the Eastern District of Pennsylvania. TFO Casella learned that two individuals who are known to TFO Casella and SA Rodgers but identified in this document as Person 1 and Person 2, had a crystal methamphetamine source of supply in the Phoenix, Arizona area, and would travel to Arizona with bulk amounts of United States currency to purchase the crystal methamphetamine. Once the crystal methamphetamine was purchased, Person 1 would utilize a third party to transport the crystal methamphetamine back to the Eastern District of Pennsylvania via commercial bus line.

6. On January 28, 2018, your affiant determined through law enforcement records that Person 2 was traveling east across the country from the Phoenix, Arizona area and was scheduled to arrive in Philadelphia, Pennsylvania on January 30, 2018, at approximately 9:15 p.m. on Greyhound Lines Bus 6664.

7. On January 30, 2018, TFO Casella and members of the DEA Allentown Resident Office observed Person 2 exit the bus at the Greyhound Lines terminal, 1001 Filbert Street, Philadelphia, Pennsylvania. DEA TFO Jeffrey Taylor approached Person 2, who ultimately admitted to being in possession of 4 pounds of crystal methamphetamine. Your affiant removed and seized approximately 4 pounds of crystal methamphetamine from a backpack in Person 2's possession. TFO Casella and members of the DEA Allentown Resident Office maintained physical surveillance on Person 2. Person 2 met with Person 1 at a location in Philadelphia,

Pennsylvania. At that time, TFO Casella and members of DEA Allentown Resident Office approached Person 1 and 2.

8. Person 1 reported making arrangements with Person 2 to pick-up 4 pounds of crystal methamphetamine from a source of supply in Arizona known to Person 1 as "Jose." Person 1 acknowledged making all of the arrangements with "Jose" via cellular telephone for the purchase of the 4 pounds of crystal methamphetamine. Person 1 reported directing Person 2 to purchase 4 pounds of crystal methamphetamine from "Jose" and provided Person 2 with \$10,000 in United States currency to complete that purchase. Person 1 reported requesting Person 2 to transport the crystal methamphetamine from Arizona to Philadelphia, Pennsylvania via bus.

9. Person 2 reported meeting "Jose" and providing him with the \$10,000.00 in return for 4 pounds of crystal methamphetamine. Person 2 reported packaging the crystal methamphetamine into his/her backpack. Person 2 reported purchasing a bus ticket for Glendale, Arizona to Philadelphia, Pennsylvania. Person 2 reported advising Person 1 of trip schedule and expected Person 1 to meet him/her at the bus terminal in Philadelphia, Pennsylvania.

10. Person 2 provided SA Rodgers and SA Wohlbach with the cellular telephone number utilized by "Jose". Person 2 had the cellular telephone number stored into his/her phone under the contact name "Plug." The cellular telephone number provided was (480) 371-7973.

11. On February 1, 2018, TFO Casella and SA Rodgers met with Person 1. At that time, TFO Casella showed Person 1 the Arizona Driver's License photograph of Arguelles-Lozoya. Person 1 immediately identified Arguelles-Lozoya as "Jose."

12. On that same date, TFO Casella and SA Rodgers met with Person 2. At that

time, TFO Casella showed Person 2 the Arizona Driver's License photograph of Arguelles-Lozoya. Person 2 immediately identified Arguelles-Lozoya as "Jose."

13. According to law enforcement records, Person 1 and Arguelles-Lozoya had the following conversation:

December 6, 2017

5:59 p.m. Person 1: This me bro.
5:59 p.m. Arguelles-Lozoya: Ok koo
7:39 p.m. Arguelles-Lozoya: Jose

December 9, 2017

8:58 p.m. Arguelles-Lozoya: Let me know when u coming
8:58 p.m. Arguelles-Lozoya: 3 days before

December 20, 2017

8:44 a.m. Arguelles-Lozoya: Hey brother
8:51 a.m. Person 1: What's up bro
9:01 a.m. Arguelles-Lozoya: U know when u coming?
10:31 a.m. Person 1: After Christmas I got all my kids
11:29 a.m. Arguelles-Lozoya: Ok cool brother

December 27, 2017

9:41 a.m. Arguelles-Lozoya: Hey brother

January 2, 2018

11:46 p.m. Arguelles-Lozoya: Back in town am ready

January 4, 2018

1:52 p.m. Arguelles-Lozoya: Need to know wen u get here

January 8, 2018

11:19 a.m. Arguelles-Lozoya: My bad call by mistake

January 9, 2018

4:25 p.m. Arguelles-Lozoya: 26...
8:53 p.m. Arguelles-Lozoya: 2550

January 10, 2018

12:58 p.m. Arguelles-Lozoya: 2500

January 11, 2018

4:58 p.m. Arguelles-Lozoya: So wats up brother

January 16, 2018

6:39 p.m. Arguelles-Lozoya: How is it going man

January 17, 2018

10:09 a.m. Arguelles-Lozoya: Am read
9:25 p.m. Arguelles-Lozoya: His working. No answer

January 24, 2018

12:18 p.m. Person 1: Call
1:39 p.m. Arguelles-Lozoya: Miss3d ur call
6:52 p.m. Arguelles-Lozoya: Let me know when he gets here
6:57 p.m. Person 1: Ok
7:00 p.m. Person 1: 9
7:00 p.m. Person 1: You have account
7:04 p.m. Arguelles-Lozoya: How much will you deposit
8:45 p.m. Person 1: 2500
9:58 p.m. Arguelles-Lozoya: It was 2500 now 2550
9:58 p.m. Arguelles-Lozoya: Let me see if I can do 2500
9:59 p.m. Arguelles-Lozoya: Wrong person
10:16 p.m. Person 1: Ok

January 25, 2018

12:16 p.m. Arguelles-Lozoya: Hey brother did u told big boy u wer coming?
12:22 p.m. Person 1: No
12:27 p.m. Arguelles-Lozoya: He said u wer coming
12:30 p.m. Person 1: I don't have his number
12:31 p.m. Arguelles-Lozoya: Did u told anyone

12:32 p.m. Person 1: No
12:34 p.m. Person 1: Call me
12:35 p.m. Person 1: You talk about my family
4:15 p.m. Arguelles-Lozoya: Is he here?
4:15 p.m. Person 1: Not they lay
4:15 p.m. Arguelles-Lozoya: Till when
4:16 p.m. Person 1: Im find out
4:16 p.m. Arguelles-Lozoya: Kk
8:25 p.m. Arguelles-Lozoya: Ok
9:49 p.m. Arguelles-Lozoya: Hey wats up before it gets late
9:50 p.m. Arguelles-Lozoya: Wat happened
11:47 p.m. Arguelles-Lozoya: Jesus arguelles 2081859239
11:50 p.m. Arguelles-Lozoya: No don't send it to that one
11:50 p.m. Arguelles-Lozoya: He backed up

12. Person 1 told DEA Agents that the aforementioned conversation referred to the price of a pound of methamphetamine being offered by Arguelles-Lozoya at twenty six hundred dollars per pound and that after negotiation ending at a final price of twenty-five hundred dollars per pound for the methamphetamine. The remainder of the conversation, according to Person 1 is referring to the arrival of Person 2 and a third party that resides in Arizona near Arguelles-Lozoya knowing that Person 1 was coming from Pennsylvania and traveling to Arizona.

13. Additionally, Person 1 told your affiant s/he made arrangements with Person 2 to pick-up 4 pounds of crystal methamphetamine from a source of supply in Arizona known to Person 1 as "Jose" (and later identified as Arguelles-Lozoya). Person 1 acknowledged making all of the arrangements with "Jose" via cellular telephone (from EDPA) for the purchase of the 4 pounds of crystal methamphetamine. Person 1 reported directing Person 2 to purchase 4 pounds of crystal methamphetamine from "Jose" and provided Person 2 with \$10,000 in United States currency to complete that purchase. Person 1 reported requesting Person 2 to transport the crystal methamphetamine from Arizona to Philadelphia, Pennsylvania via bus.

14. Person 1 reported meeting "Jose" approximately 4 months earlier while visiting

Glendale, Arizona. Person 1 reported making one prior purchase of multiple pounds of crystal methamphetamine directly from "Jose" in the first week of December of 2017. Person told DEA agents that the first time they met, s/he and Arguelles-Lozoya discussed different qualities of methamphetamine. Arguelles-Lozoya using coded language told Person 1 that he could get it "over the wall right away," which Person 1 took as another source from Mexico, with a different and immediate available lesser quantity of methamphetamine if Person 1 did not want to wait. Person 1 reported meeting "Jose" face to face at least two times during those 4 months. Person 1 reported being charged \$2,500 per pound for the crystal methamphetamine and the transactions were cash on delivery. Also during their first methamphetamine transaction, Arguelles-Lozoya warned Person 1 about a DEA helicopter flying over them and they moved the meeting location.

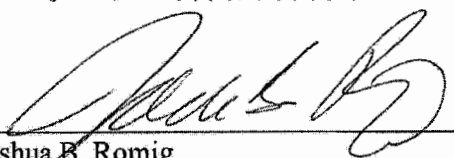
15. In that statement to your affiant, Person 2 reported traveling to Arizona on two occasions, with the first being with Person 1 and another unknown male just before Christmas. Person 2 reported on that trip Person 1 met with a Mexican male, whom Person 2 knew as "Jose" (and later identified as Arguelles-Lozoya). Person 2 reported that meeting occurred at a strip club in the Glendale, Arizona area. Person 2 reported Person 1 received multiple pounds of crystal methamphetamine from "Jose" at that time. Person 2 reported Person 1 brought the crystal methamphetamine back to a hotel and packaged it for the unknown Hispanic male from Allentown to bring back on the Greyhound bus. Person 2 reported they (Person 1 and Person 2) put that unknown male on the bus and stayed in Arizona until later that day and flew back to Philadelphia. Person 2 reported Person 1 met that unknown male by her/himself when the unknown male arrived back in Philadelphia on the bus. Person 2 further admitted that on the second trip, s/he trusted Arguelles by giving him the \$10,000 the day in Arizona before he

distributed the methamphetamine to Person 2.

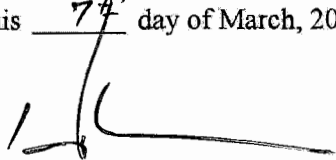
16. On February 6, 2018, DEA Senior Forensic Chemist of the DEA North East Laboratory analyzed the methamphetamine seized from Persons 1 and 2, which Arguelles-Lozoya had distributed to them contained 1,763.8 net weight grams of 98% pure d-Methamphetamine Hydrochloride.

Conclusion

17. Based on the information above, I have concluded there is probable cause to believe that Jesus Arguelles-Lozoya conspired and agreed with others known and unknown, to knowingly and intentionally distribute five hundred grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in the Eastern District of Pennsylvania, in violation of 21 U.S.C. § 846, 841(a)(1), (b)(1)(A).


Joshua B. Romig
Special Agent
Drug Enforcement Administration

Subscribed to and sworn before
me this 7th day of March, 2018


HONORABLE HENRY S. PERKIN
United States Magistrate Judge